

Service Date: April 3, 2002

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF the Petition of)	
Mid-Rivers Telephone Cooperative, Inc.)	UTILITY DIVISION
for Arbitration of Contract Negotiations with)	
WWC Holding Co., Inc.)	DOCKET NO. D2002.1.3
Pursuant to 47 U.S.C. § 252)	ORDER NO. 6397a

PROTECTIVE ORDER

On March 20, 2002, Mid-Rivers Telephone Cooperative (Mid-Rivers) filed a Motion for Protective Order to govern certain information expected to be filed in the above-entitled proceeding. Western Wireless does not object to the motion and supports the issuance of the protective order. Mid-Rivers requests protection of information relating to financial and accounting records for 2001. Mid-Rivers and Western Wireless assert that the identified information is trade secret in accordance with § 30-14-402, MCA.

The Public Service Commission (PSC or Commission) determines that the identified information could be confidential and subject to protection from public disclosure pursuant to § 69-3-105, MCA and 30-14-402(4), MCA and ARM 38.2.5001 through 38.2.5030. Additionally, the motion was noticed for an opportunity for hearing, and no objection or request for hearing was filed with the Commission. This matter is an arbitration proceeding under 47 U.S.C. Section 251 and 252, and in accordance with 69-3-837(7), the only allowable parties to the proceeding concur that the information sought to be protected is trade secret under 30-14-402, MCA.

Therefore, the PSC grants Mid-Rivers' request and hereby orders that information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

DONE AND DATED this 2nd day of April, 2002, by a vote of 5-0.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Nondisclosure Agreement

ARM 38.2.5012

Docket No. D2002.1.3

Order No. 6397a

Order Action Date 04/02/02

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive.* I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented

*These rules are available on the web at http://psc.state.mt.us/pdf/Sub_50_Protective_orders.pdf).